K 1950

File No. O. Okha Port/50

Legal Deptt
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Subject:— Opinions under the Okha Port Rules.

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C O N T E N T S.

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1.	Cn.6654 15-5-50	Re Okha Haybour Board Whether it has to be heated as Govt. Deptt or a Semi Govt Body.	1.

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Office of the R.L.A.

Okha Port Rules show that the Okha Harbour Board has control over the movable and immovable property handed over to them and have power to sell or otherwise convey any such property which may be under their control. The rates etc. levied under the Rules are to be credited to the general account of the Board and thus a fund is created for the Board. Accounts of the Board are separately audited; the Board has been given authority to cause to recover sums due to them as arrears of land revenue, and to institute suits. The rules also contemplate that Government can acquire property vesting in the Board which suggests that it is not treated as Government property. In these circumstances although the Board may not have been formally declared to be a body corporate it has all the attributes of such body. Its position seems to be analogous to that of a local authority like the Bombay Port Trust. The Board cannot, therefore, be treated as a Department of Government.

S.D. P.M. Lad. 15/5

O.C.

Remembrancer of Legal Affairs.

U.R. to P.W.D. No. 6654. dated the 16th May 1930.

VGP.

8-6-56